

## REMARKS

### I. Introductory Comments

Applicants thank the Examiner for the thorough review of the cited references and the detailed Office Action mailed 22-Dec-2004. Claims 1-29 are pending, with claim 29 indicated as allowable if rewritten in independent form. Applicants have provided comments on the rejections below and respectfully request a responsive Advisory Action.

### II. §103 Rejections: Claims 1, 7, 14, and 21: Weyer & Guedalia

Claims 1, 7, and 14 recite obtaining additional working queries from a working query server and adding the additional queries to the local database of queries in the access control system. The Office Action notes that Weyer does not disclose such features. The Office Action instead finds the missing subject matter in Guedalia.

Guedalia is directed to a method for communicating images, movies, and audio signals over a client-server network. Guedalia delivers only a fraction of the entire image, movie, or audio data. The principle is "for the server to send just enough data to enable the interactive access which the user desires." (Guedalia, Col. 4, lines 23-31). While the asserted Weyer-Guedalia system may deliver partial images, movies or audio content from a server to an educational computer game, the game is still deprived of any additional working queries. In other words, even assuming motivation to combine Weyer and Guedalia, the Weyer-Guedalia system does not teach or suggest the subject matter in claims 1, 7, and 14.

Claim 21 recites that working queries and their answers are exchanged through a working query exchange server. Accordingly, multiple independent users of the system may distribute working queries between one another. (Specification, page 16). The Weyer-Guedalia system employs a server that delivers partial media content to a computer game. The Weyer-Guedalia system implements a unilateral communication of media snippets from the server to the computer game. There is no exchange, let alone an exchange of working queries and their answers.

Accordingly, Applicants respectfully request withdrawal of the §103 rejections of claims 1, 7, 14, and 21.

**III. §103 Rejections: Claims 20 and 25: Weyer & Ho(1)**

The proposed amendments to claims 20 and 25 clarify that the working query scoring and statistics data are data that are gathered and summarized across a geographic region, for example, nationally. (Specification, pages 16-17). Thus an individual may compare their performance against others and gauge their level of progress with regard to a national or regional average. Ho(1) retrieves student milestone data from a "reward determinator" in order to generate a milestone report for the student. (Ho(1), Col. 13, lines 42-67). Accordingly, a hypothetical Weyer-Ho(1) system provides progress reporting for an individual student only with respect to that student. There is no teaching or suggestion to access scoring and statistics data that has been gathered and summarized across a geographic region.

Therefore, Applicants respectfully request withdrawal of the §103 rejections of claim 20.

**IV. §103 Rejections: Claim 23 and 28: Weyer & Ho(1)**

Claim 23 recites that a supervisory hierarchy includes a highest level of authority for a parent and a secondary level of authority for a child. Claim 28 recites, more generally, a secondary level of authority with respect to that of the parent. As noted in claims 22 and 27, the hierarchy controls access to configuration options for the access control system. Ho(1) provides a conventional login validation for a student. When the student has correctly entered their password, the student may ask for their earned rewards. The student is not able to change configuration options in any event. Thus, even if there were motivation to combine Weyer and Ho(1), the Weyer-Ho(1) system would not provide the claimed supervisory hierarchy access control to configuration options. Applicants therefore respectfully request withdrawal of the §103 rejection of Claim 23.

**V. §103 Rejection: Claim 6: Weyer & Guedalia & Ho(2)**

Claim 6 establishes that the working queries include custom queries written by a local system supervisor. The Office Action admits the Weyer and Guedalia do not teach custom queries, but asserts that Ho(2) does. Applicants respectfully disagree.

Ho(2) is directed to a learning method and system that restricts entertainment. Prior to operation of the Ho(2) system, an instructor or student must determine what materials are classified as the study materials and what materials are classified as entertainment materials. (Ho(2), Col. 3 lines 40-43). The study materials are then presented to the student in increasing order of difficulty. (Ho(2), Col. 5, lines 54-58).

Even if Weyer were combined with Guedalia and Ho(2), notably absent in the combined system would be any teaching or suggestion that the local system supervisor has written any custom queries. Instead, in the combined system, a server delivers portions of media content to a computer game that presents pre-selected study materials to a student. However, the claim recites that custom queries are written by a local system supervisor. Applicants therefore respectfully request withdrawal of the §103 rejection of Claim 23.

**VI. §103 Rejections: Claim 17 and 18: Weyer & Guedalia & Ho(2)  
Claim 26: Weyer & Ho(1) & Ho(2)**

Claims 17, 18, and 26 recite terminating the access controlled program (e.g., an entertainment program) based on the answer or answers to the working queries. Terminating the program ends execution of the program and often results in a significant loss of progress as well as invested time and effort. When, for example, the access controlled program is a video game, terminating the program can erase significant development and advancement toward the game's goals, thereby providing increased incentive to a program user to provide correct answers to continue, rather than re-start, the program. Terminating the program also releases valuable, limited resources such as processor time, memory, and I/O bandwidth.

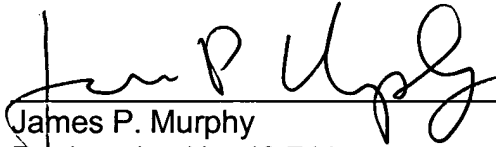
Ho(2) does not teach or suggest terminating the access controlled program. Instead, Ho(2) prevents an entertainment program from interacting with a device driver. For example, Ho(2) may prevent the entertainment program from interacting with the device driver that controls the mouse, keyboard, game controller, or other input device. (Ho(2), Col. 8, lines 6-50). Although the player cannot interact with the entertainment program, the program is left running, thereby needlessly consuming resources. Thus, even assuming motivation to make the asserted combinations, none of the combinations teach or suggest the claimed subject matter.

Applicants therefore respectfully request withdrawal of the §103 rejections of claims 17, 18, and 26.

**VII. Conclusion**

The Applicants respectfully request entry of the proposed amendments and allowance of the pending claims. The Examiner is invited to contact the undersigned via telephone if the Examiner has any questions, comments, or concerns, or if a telephone conference would expedite examination of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James P. Murphy", is written over a horizontal line.

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